

REMARKS

Claims 22-24 are pending in this application. Withdrawn non-elected claims 1-21 and 25-36 have been canceled. Applicants reserve the right to file one or more divisional applications to pursue the non-elected claims. Claims 22-24 are amended to correct informalities. The amendments do not narrow the claims. In addition, formal drawings are submitted. No new matter is added.

I. The Drawings Satisfy all Formal Requirements

The Notice of Draftsperson's Patent Drawing Review attached with the September 10, 2003 Restriction Requirement objected to Figs. 1-25 for poor line quality. In response, formal versions of Figs. 1-25 are attached herein. Withdrawal of the objection to the drawings is respectfully requested.

II. Amendment of Inventorship

Due to the cancellation of claims 1-21 and 25-36, Fumio HIRAIKE's invention no longer is being claimed. The Examiner is requested to approve the attached Amendment of Inventorship, which deletes Fumio HIRAIKE as an inventor.

III. The Claims Define Patentable Subject Matter

The Office Action rejects claims 22-24 under 35 U.S.C. §102(e) over U.S. Patent No. 6,125,201 to Zador. This rejection is respectfully traversed.

Zador does not disclose "a plurality of sets of image data obtained through continuous image-capturing ... and performs acceptability evaluation on each set of image data based upon a resulting post-compression code volume; and an acceptability selection device," as recited in claim 22.

Zador relates to wavelet filters for image transformation (col. 12, line 29 - col. 13, line 10); and refers to bit planes (col. 25, lines 25-59). Zador's wavelet transformations and bit planes are generated from one set of image data. Accordingly, Zador does not disclose a

plurality of sets of image data obtained through continuous image-capturing, as recited in claim 22.

Furthermore, Zador does not disclose performing acceptability evaluation on each set of image data based upon a resulting post-compression code volume, and an acceptability selection device, as further recited in claim 22.

For at least these reasons, it is respectfully submitted that claim 22 is patentable over Zador. Claims 23 and 24 are likewise patentable over Zador for at least the reasons discussed, as well as for the additional features they recite. Applicants respectfully request that the rejection under 35 U.S.C. §102(e) be withdrawn.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 22-24 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



Mario A. Costantino
Registration No. 33,565

Richard J. Kim
Registration No. 48,360

MAC:RJK/mdw

Attachments:

Petition for Extension of Time
Formal Drawings
Amendment of Inventorship

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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